

### **REMARKS**

The Office Action mailed November 19, 2003 has been received and carefully considered. Initially, Applicants wish to thank the Examiner for the telephone interview on January 20, 2004 during which the objected to claims were discussed. Applicants believe the amendments made herein are commensurate with the discussion. More particularly claim 19 has been amended to include the limitations of claim 17 as suggested by the Examiner. Likewise claim 23 has been amended to include the limitations of claim 21. Further claim 27 has been amended to include the limitations of claim 25 and claim 46 as suggested by the Examiner.

Claims 19, 20, 23, 24, and 46 were indicated to be allowable if rewritten in independent format.

Claims 29 and 45 were objected to due to awkward wording.

Claims 41 and 45 were rejected under 35 U.S.C. § 112, second paragraph as indefinite.

Claims 2, 17, 18, 21, 22, 25, 26, 29, 30, 38 and 45 were rejected under 35 U.S.C. § 112, first paragraph as not enabled.

Claims 25-29, 38-41 were rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 38 was rejected under 35 U.S.C. § 103(a) as being obvious over Garnitskij et al. in view of Modi et al. (U.S. 5,653,987).

The rejections, to the extent applied against the claims as amended, are respectfully traversed.

### **Objections**

Both claims 29 and 45 have been canceled mooted the objection.

Claims 19, 20, 23, 24 and 46, have been rewritten to either independent format as suggested by the Examiner or to now depend from a rewritten claim. Therefore, Applicants respectfully request the USPTO withdraw the objections.

**Rejections Under 35 U.S.C. § 112 ¶2**

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 41 and 45 stand rejected under 35 U.S.C. § 112, second paragraph as indefinite because "it is not clear to which substance (in claim 38) Applicant is referring" and the recitation of conditions requiring regulation, respectively. Claim 41, has been amended to depend from claim 23, and it is believed the confusion regarding the "substance" has been obviated by the amendment. Claim 45 has been canceled. As discussed during the telephone interview Applicants believe cancellation of claim 45 addresses the Examiner's concerns regarding the rejection discussed in the Office Action on page 6.

Applicants respectfully request that these rejections be withdrawn in view of the claim amendments.

**Rejection Under 35 U.S.C. § 112 ¶ 1**

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 2, 17, 18, 21, 22, 25, 26, 29, 30, 38 and 45 stand rejected under 35 U.S.C. § 112, first paragraph as not enabled. Applicants have either canceled the above the rejected claims or have amended the claims to include the recited substances of claims 19, 23 or 27 as discussed during the telephone interview. Applicants respectfully request that this rejection be withdrawn in view of the claim amendments.

**35 U.S.C. §103(a)**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

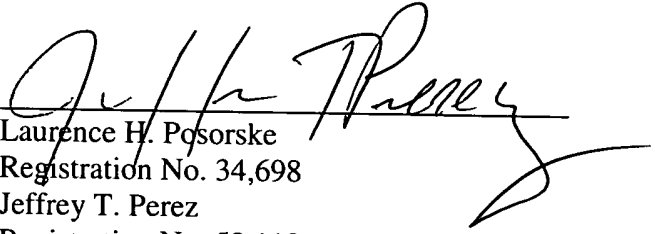
Claim 38 stands rejected under 35 U.S.C. § 103(a), as unpatentable over an oral translation of Garnitskij, et al., all other rejections over prior art having been withdrawn. Applicants do not concede that rejection over Garnitskij, et al., is proper in the absence of a translation of the reference. However, Applicants submit that the cancellation of claim 38 moots the rejection by the Examiner. The rejection is respectfully obviated.

**CONCLUSION**

Applicants assert that the above-referenced application is in condition for allowance. Reconsideration and allowance of all pending claims is respectfully requested. Should any outstanding issues remain, the Examiner is invited to telephone the undersigned at 202-955-1500.

Respectfully submitted,

HUNTON & WILLIAMS

  
Laurence H. Posorske  
Registration No. 34,698  
Jeffrey T. Perez  
Registration No. 52,110

1900 K Street, N.W., Suite 1200  
Washington, D.C. 20006-1109  
Tel: (202) 955-1902  
Fax: (202) 778-2201

Dated: February 2, 2004